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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ W.P.(C) 15026/2023

SUSHILA DEVI

.....Petitioner

Through: Mr. Santosh, Ms. Saahila
Lamba and Ms. Nidhi Sharma,
Adv.

versus

UNION OF INDIA & ORS.

.....Respondents

Through: Mr. Akash Vajpai, CGSC with
Mr. Harsh Bajpai, Adv.

(32)

+ W.P.(C) 15046/2023

CH. NOOKARATNAM

.....Petitioner

Through: Mr. Santosh, Ms. Saahila
Lamba and Ms. Nidhi Sharma,
Adv.

versus

UNION OF INDIA & ORS.

.....Respondents

Through: Mr. Manish Kumar, SPC.

CORAM:

HON'BLE MR. JUSTICE ANIL KSHETARPAL

HON'BLE MR. JUSTICE AMIT MAHAJAN

ORDER

%

13.04.2026

1. With the consent of learned counsel representing the parties, the two connected Writ Petitions shall stand disposed of by this common Order.

2. The Petitioners were dependants of the employees who were serving in the Border Roads Organization (BRO). During the course of their employment, the predecessors of the Petitioners died in accidents while on duty.



3. As per Circular/Instructions dated 11.09.1998, the Petitioners were entitled to *ex gratia* lump sum payment of Rs. 5 lakhs on account of death of their predecessors. In W.P.(C) 15026/2023, the husband of the Petitioner died on 08.01.2006, whereas predecessor of the Petitioner in W.P.(C) 15046/2023 died on 29.12.2003. The *ex gratia* payment was, however, released only on 08.05.2017 and 09.10.2017, respectively.

4. Through the present Writ Petitions, the Petitioners claim interest on the delayed release of the aforesaid amount. In one case, the delay is of more than 11 years, whereas in the other, it is of nearly 14 years.

5. Learned counsel representing the Respondents submits that these Writ Petitions, having been filed in the year 2023, are liable to be dismissed on the ground of delay and laches.

6. Learned counsel representing the Petitioners submits that the Petitioners may be awarded interest for the period from the date of death till the date of payment.

7. This court has considered the submissions advanced by learned counsel for the parties.

8. The Petitioners have already confined their claim and do not seek any interest beyond the date of release of the *ex gratia* amount. The Respondents have failed to furnish any justification for withholding the payment for 11 years in one case and 14 years in the other. The Petitioners, who had already suffered the loss of their earning member of the family, cannot now be relegated to another round of litigation.

9. In these circumstances, the Writ Petitions are allowed, and the Respondents are directed to pay simple interest @ 9% p.a. from the



date of death till the date of actual payment of the *ex gratia* amount.

Let the order be complied with within the next four months.

10. A photocopy of the Order passed today be kept in the connected matter.

ANIL KSHETARPAL, J.

AMIT MAHAJAN, J.

APRIL 13, 2026/sp/ad